

REMARKS

This case has been carefully reviewed and analyzed in view of the Official Action dated 16 September 2002. Responsive to the rejections made by the Examiner in the Official Action, Claims 1-14 have been cancelled by this Amendment and new Claim 15 has been added, which was the easiest method to clarify the combination of elements which form the invention of the subject Patent Application.

A redlined copy of the drawing of FIG. 3F is enclosed for the Examiner's approval. It is proposed to correct the reference numeral associated with the second film layer shown therein, in order to coincide with that which is described in the Specification. A corrected formal drawing will be submitted subsequent to the Examiner's approval of the redlined drawing and the issuance of a Notice of Allowability.

In the Official Action, the Examiner rejected Claims 1-3, 5, 8-10, and 12 under 35 U.S.C. §102, as being anticipated by Glydon et al., U.S. Patent 5,658,179. Before discussing the prior art relied upon by the Examiner, it is believed beneficial to first briefly review the structure of the invention of the subject Patent Application, as now claimed. As shown in FIGS. 3A - 3G, the invention of the subject Patent Application is directed to a bodyboard structure having a base board formed of a foam material and having an upper surface, a bottom surface, and a plurality of outer edge surfaces. The structure includes a base plate bonded to the bottom surface of the base board. The base plate has a stiffness that is greater than a stiffness of the base board. A first plastic film

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layer directly and entirely encompasses an outer periphery of the bonded base board and base plate. The bodyboard structure includes a second plastic film layer overlaying a lower surface of the base plate. By that structure, the bodyboard is provided which is sealed to prevent infiltration of moisture and contaminants, as well as having an additional protective layer disposed in an area likely to be subject to abrasive wear.

The Glydon et al. reference is directed to a sports board and method of making. The board is formed by an inner core of low density foam material 30 with an outer core of higher density foam material 32 laminated thereon that is laminated on both the top and bottom surfaces of the inner core 30 to define the top surface 24, bottom surface 26, and side rails 22. A low frictional film material 28 is applied to the outer layer of the high density foam material that forms the bottom surface 26 and a portion of the side rails 22. The top surface 24 of the sports board 20 is devoid of the low-frictional film material 28, column 5, lines 5-17. Thus, the reference fails to disclose a first film layer that directly and entirely encompasses an outer periphery of the bonded base board and base plate, as claimed. Further, the reference fails to disclose a second plastic film layer overlaying the film layer 28 and the bottom foam surface 26. Thus, as the reference fails to disclose each and every one of the claimed elements of the invention of the subject Patent Application, it cannot anticipate that invention, as now claimed. Further, as the reference fails to suggest such a combination of elements and, in fact, teaches away from such a combination, it cannot make obvious that invention either.

The Schneider et al. reference, U.S. Patent 5,211,593, does not overcome the deficiencies of Glydon et al. The Schneider et al. reference is directed to a bodyboard with a graphics-imprinted skin laminated thereon. As shown in the figures, the foam core plank 30 has a closed-cell foam layer 32 defining a top surface of the board and a separate elongated rail piece 34 formed of foam and covering the side rails 26. The bottom of the core is covered by a skin 40 formed of a pair of layers 42 and 44 of plastic film. Thus, this reference teaches away from a structure wherein a plastic film layer directly and entirely encompasses an outer periphery of the bonded base board and base plate, as claimed. Therefore, the combination of Glydon et al. and Schneider et al. cannot make obvious the invention of the subject Patent Application.

The Yeh reference, U.S. Patent 6,106,345, does not overcome the deficiencies of Glydon et al. or Schneider et al. The Yeh reference discloses a bodyboard formed by an expanded foam material core 20 covered by a protective film 21, on a side thereof, as either a single piece or a plurality of pieces in different colors. Nowhere does the reference disclose or suggest a structure wherein a first plastic film layer directly and entirely encompasses an outer periphery of the bonded base board and base plate.

Further, the reference fails to disclose or suggest a second plastic film layer overlaying a lower surface of the base plate. Thus, the combination of Glydon et al. and Yeh and/or Schneider et al., and further in view of Yeh cannot make obvious the invention of the subject Patent Application as now claimed.

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It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,



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